Assistance to overseas Indian women

483. SHRIMATI N.P. DURGA: Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether it is a fact that Government are providing legal and financial assistance to women deserted or divorced by their overseas Indian or foreign spouses;

(b) if so, the details thereof;

(c) the details of financial and legal assistance provided to women from the State of Andhra Pradesh during the last three years, year-wise;

(d) whether it is also a fact that the scheme is restricted only to limited countries like USA, UK, Canada, Australia, etc. and not extended to all other countries where Indians reside;

(e) if not, the reasons therefor; and

(f) by when the scheme is going to be made applicable to all the countries?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI): (a) and (b) Yes, Sir. The Ministry has launched a scheme in February, 2007 to provide legal and financial assistance to Indian women deserted by their overseas Indian spouses. A copy of the Scheme is attached at Statement (*see* below).

(c) The Ministry has received 18 complaints from women belonging to Andhra Pradesh who have been deserted by their overseas Indian spouses. Nine of these cases have been referred to concerned Indian Missions abroad and the rest to other authorities for appropriate action.

(d) to (f) The scheme was initially launched to cover cases from USA, UK, Canada, Australia, New Zealand and the Gulf—having larger Indian population and larger number of cases of desertion/divorce. Extension of the scheme to other countries will be considered after evaluating the functioning of the scheme in the countries already covered.

Statement

Details regarding scheme for giving Legal/Financial Assistance to women deserted by their Overseas Indian Spouses

I. **Objective:**

The objective of the scheme is to provide some financial assistance to needy women in distress who have been deserted by their Overseas Indian spouses for obtaining counseling and legal services. The term "Overseas Indian" would include NRIs and foreign citizens of Indian origin. The counseling and legal services would be provided through credible Indian Women's Organizations/Indian Community Associations and NGOs identified for providing such services and empanelled with the Indian Missions in the USA, the UK, Canada, Australia, New Zealand and the Gulf. The scheme is a welfare measure to support women of Indian origin in distress, through the mobilization of the local Indian community in the endeavour and with some financial assistance from the Government.

II. **Scope of and eligibility for the Scheme:**

The scheme would be available to the women who have been deserted by their overseas Indian spouses or are facing divorce proceedings in a foreign country subject to the following conditions:—

(i) The woman is an Indian passport holder.

(ii) The marriage of the woman has been solemnized in India.

(iii) The woman is deserted in India or after reaching abroad within five years of the marriage.

(iv) Divorce proceedings are initiated within five years of the marriage by her overseas Indian spouse.

(v) An ex-parte divorce has been obtained by the overseas Indian spouse within ten years of the marriage and a case for maintenance and alimony is to be filed.

(vi) The scheme would not be available to a woman facing criminal charges or having a criminal case decided against her.

(vii) The domicile of the woman seeking relief under the scheme is not relevant for allowing the benefit. The woman may be domiciled in the country of her overseas Indian spouse or in India at the time of making the application.

(viii) Preference may be given to applicants on the basis of financial needs.

(ix) Assistance will be limited to meeting initial cost and incidental charges for documentation and filing of the case by the Indian women's organization/NGO on the woman's behalf.

(x) The assistance will be limited to US $1000 per case and will be released to the Indian community organizations/NGO concerned to enable it to take steps to assist the woman in documentation and preparatory work for filing the case.

(xi) The women's organization/NGO will make efforts to enlist community advocates, preferably women advocates, to extend further legal assistance/appearance in court etc. on a pro-bono basis.

Pattern of Assistance

Under the scheme Indian Missions in the countries concerned would empanel credible Indian Women's Organizations/Indian Community Associations/NGOs and their member advocates, preferably women, to provide legal aid to the victims in distress and whose names have been approved by the Ministry of Overseas Indian Affairs. The applications for providing legal aid received by the Missions would by examined by an officer designated by the Head of the Mission on case-to-case basis and approved by Head of Mission/Deputy Chief of the Mission.

The applications received in the Ministry of Overseas Indian Affairs will be examined by an internal committee consisting of a legal advisor and an officer of the rank of Director/Deputy Secretary and approved by Secretary. Thereafter, the Ministry will recommend the case to Mission concerned to provide legal aid support. The applicant would also be informed to approach the Mission concerned in this regard.

Attack on temple in Trinidad

484. SHRI SHREEGOPAL VYAS:
SHRI BALAVANT *ALIAS* BAL APTE:

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether a temple was attacked in Trinidad which is linked to the memory of arrival of the Indian there;